

BEFORE THE BOARD OF PHARMACY
DEPARTMENT OF LABOR AND INDUSTRY
STATE OF MONTANA

In the matter of the proposed) NOTICE OF ADDITIONAL PUBLIC
amendment of ARM 24.174.301,) HEARING AND EXTENSION OF
24.174.501, 24.174.604,) COMMENT PERIOD
24.174.711, 24.174.1411,)
and 24.174.2106,)
pertaining to definitions,)
foreign graduates, preceptor)
requirements, technician ratio)
and pharmacy security)
requirements, the proposed)
adoption of new rule I,)
licensing, new rule II,)
personnel, new rule III,)
absence of pharmacist, new)
new rule IV, use of emergency)
drug kits, new rule IV, drug)
distribution, new rule V,)
pharmacist responsibility,)
new rule VI, sterile products,)
new rule VII, return of)
medication from long term care)
facilities, and new rule VIII,)
pharmacist meal/rest breaks,)
and the proposed repeal of)
ARM 24.174.302, health care)
facility definition,)
24.174.810, class I facility,)
24.174.811, class II facility)
and 24.174.812, class III)
facility)

TO: All Concerned Persons

1. On July 11, 2002, the Board of Pharmacy published a notice of the proposed amendment, adoption and repeal of the above-stated rules at page 1868, 2002 Montana Administrative Register, Issue Number 13. That notice provided for a public hearing to be held in Helena, which was held on August 2, 2002, as scheduled. However, because a copy of the notice was not mailed to all pharmacy licensees, the Board has decided to schedule a second public hearing and extend the comment period as described below.

2. On September 12, 2002, at 10:00 a.m., a public hearing will be held in the Business Standards Division's basement conference room, room B-07, 301 South Park Avenue, Helena, Montana to consider the proposed amendments, adoption and repeal of the above-stated rules.

3. The Department of Labor and Industry will make reasonable accommodations for persons with disabilities who wish to participate in this public hearing or need an alternative accessible format of this notice. If you require an accommodation, contact the Board of Pharmacy no later than 5:00 p.m., on September 6, 2002, to advise us of the nature of the accommodation that you need. Please contact Becky Deschamps, Board of Pharmacy, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513; telephone (406) 841-2355; Montana Relay 1-800-253-4091; TDD (406) 444-2978; facsimile (406) 841-2343; e-mail dlibsdpha@state.mt.us.

4. Concerned persons may present their data, views or arguments either orally or in writing at the hearing. Written data, views or arguments may also be submitted to the Board of Pharmacy, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513, by facsimile to (406) 841-2343, or by e-mail to dlibsdpha@state.mt.us and must be received no later than 5:00 p.m., September 19, 2002.

5. A copy of the original Notice of Public Hearing, as described in paragraph 1, above, is available upon request from Becky Deschamps, Board of Pharmacy, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513; telephone (406) 841-2355; Montana Relay 1-800-253-4091; TDD (406) 444-2978; facsimile (406) 841-2343; e-mail dlibsdpha@state.mt.us.

6. An electronic copy of this Notice of Additional Public Hearing and the Notice of Public Hearing are available through the Department's site on the World Wide Web at <http://discoveringmontana.com/dli/bsd> under the rule notice section for the Board of Pharmacy. The Department strives to make the electronic copy of this Notice conform to the official version of the Notice, as printed in the Montana Administrative Register, but advises all concerned persons that in the event of a discrepancy between the official printed text of the Notice and the electronic version of the Notice, only the official printed text will be considered.

7. The Board of Pharmacy maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this Board. Persons who wish to have their name added to the list shall make a written request to the board which includes the name and mailing address of the person to receive notices and specifies that the person wishes to receive notices regarding all Board of Pharmacy administrative rulemaking or other administrative proceedings. Such written request may be mailed or delivered to the Board of Pharmacy, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513, faxed to the office at (406) 841-2343, e-mailed to dlibsdpha@state.mt.us or may be made by completing a request form at any rules hearing held by the agency.

8. The Board of Pharmacy will meet on October 3-4, 2002, to consider the comments made by the public, the proposed responses to those comments, and take final action on the proposed amendments, new rules and repeals. The meeting will be held at Fairmont, Montana, the site of the meeting of the Montana Pharmacy Association. Members of the public are welcome to come to the Board's meeting and listen to the Board's deliberations, but the Board cannot accept any comments concerning the proposed amendments, new rules and repeals beyond the September 19, 2002, deadline.

9. Jack Atkins, attorney, has been designated to preside over and conduct the hearing.

BOARD OF PHARMACY
ALBERT A.FISHER, R.Ph.,
PRESIDENT

By: /s/ KEVIN BRAUN
Kevin Braun
Rule Reviewer

By: /s/ WENDY J. KEATING
Wendy J. Keating, Commissioner
DEPARTMENT OF LABOR & INDUSTRY

Certified to the Secretary of State August 5, 2002.